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I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: October 21, 2008 Name: Kent E. Genin Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: G. Baran

Appln. No.: 10/607,246

Filed: June 25, 2003

For: Nebulizing Catheter System
And Methods Of Use And
Manufacture

Examiner: Demille, Danton D.

Art Unit: 3771

Confirmation No. 4973

Attorney Docket No: 6298/432

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following reference(s):

U.S. PATENTS

<u>Patent No.</u>	<u>Date</u>	<u>Inventor</u>
5,472,435	12-1995	Sutton
7,402,151 B2	07-2008	Rosenman et al.
US-2007/0265595 A1	11-2007	Miyamoto et al.

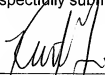
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

The Examiner's attention is also directed to copending divisional U.S. patent application no. 10/606,442 (US Publication No. 2004/0084049) filed June 25, 2003, and the Notice of Allowance mailed September 16, 2008 in that case. The Examiner is invited to review the prosecution history of this co-pending application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Pursuant to 37 CFR §1.97(e)(2), Applicant certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. Applicant has also calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,



Kent E. Genin
(Reg. No. 37,834)

October 21, 2008

Date